

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
September 3, 2014**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Dan Buck took roll call as follows:

Jerry Uebelhor, Chairman	-Present	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey Director of Community Development/Planning	-Present
Dan Buck, Secretary	-Present	Renee Kabrick, City Attorney	-Present
Bob Cook	-Present		

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the August 6, 2014 regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Bob Cook seconded it. Motion carried 5-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

OLD BUSINESS

Petition of Dubois-Pike Credit Union for a variance from Section 16.02.130 (Setback Requirements to build an addition to the existing building within 41 feet of the front lot along Third Avenue

Withdrew Request.

Petition of Bishop of the Catholic Diocese, Bishop Charles C. Thompson (owner) and Fr. Gary Kaiser (petitioner) for a variance from Section 16.03.050 (Residential Zoning Sign Standards) and Section 16.035.060 (Business and Industrial Zoning Sign Standards)

Brad Eckerle, of Brosmer Land Surveying, appeared before the board on behalf of Father Gary Kaiser, of Precious Blood Parish regarding a variance request from Section 16.03.050 (Residential Zoning Sign Standards) (2) Institutional Signs and Section 16.035.060 (Business and Industrial Zoning Sign Standards) (5) Free-Standing Individual Business Signs (c)

Monument Sign at 1385 W. 6th Street-Precious Blood Catholic Church. Mr. Eckerle said plans are to change to a digital sign to display multiple messages. The digital sign would prevent having to manually change the sign in the cold weather or on the ice and could also be used to promote other church and city events, as well.

A rendering of the proposed sign was displayed, showing the same measurements as the current sign, (6 feet high x 10 feet wide) with a reader board to measure 30 square feet.

With no remonstrators present, Bob Cook made a motion to close the public hearing. Vice Chairman Josh Gunselman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a variance for a sign as presented, with a 30 square-foot reader board. Randy Mehringer seconded it. Motion carried 5-0.

NEW BUSINESS

Edwin P. Pfeiffer and Bernadette M. Pfeiffer (as owners) and Kevin and Cindy Sermersheim (as petitioners) for a variance from Section 16.02.120 (Lot & Yard Requirements) (10) to allow a home site on a lot which does not front on an accepted street

Kevin and Cindy Sermersheim were present to request a variance to place a modular home on some property located off of County Road 300N, north of the Schulte residence at 435E County Road 300N. The Sermersheims are looking to purchase the land from Ed and Bernadette Pfeiffer. The variance request is needed because the property does not have road frontage.

Discussion followed. Mark Schulte, 435E County Road 300N, appeared before the board to express his concerns regarding access to the proposed property. He explained that the neighbors share in the maintenance of a private drive, which is the only access the Sermersheims would have to reach the property. Mr. Schulte said he was never approached by the Sermersheims to request permission to use the access road, which runs through his driveway. The Sermersheims told the Board they did not realize the issue at hand. There was also concern whether or not septic would be allowed to be installed on the property. The Sermersheims were advised to bring back information to next month's meeting to show they will be able to legally access the land and also show documentation that they will be allowed to have a septic system installed.

Bob Cook made a motion to table the public hearing, seconded by Vice Chairman Josh Gunselman. Motion carried 5-0.

Randalyn Lou Clabaugh and Jay Elbert Houchin and Meghan Casey Clabaugh and Kelley Erin Clabaugh and Margaret Merrell Houchin and Lucy Rice Houchin for a variance from Section 16.02.140 (Height Regulations) regarding an accessory building

Jay Houchin was present to request a variance for an addition to an accessory building to measure 18 feet in height. Plans are to add a 36ft. x 40ft. addition to the existing building, which currently measures 24ft. x 60ft. and 14ft. in height. The property is located at 2004 Gun Club Road. Mr. Houchin is requesting the height because he intends to store his mowing equipment and boat inside.

There were no remonstrators present. Following some discussion, Randy Mehringer made a motion to close the public hearing. Secretary Dan Buck seconded it. Motion carried 5-0.

Randy Mehringer made a motion to grant a variance from Section 16.02.140 (Height Regulations) to construct an addition to an accessory building with a height not to exceed 18 feet. Secretary Buck seconded it. Motion carried 5-0.

Petition of Kenneth and Keasha Fromme for a variance to allow an accessory building without a primary residence and a variance from Section 16.02.140 (Height Regulations) regarding an accessory building and a special exception to allow a single-family dwelling in an A-1 (Agriculture) zone

Kenneth and Keasha Fromme were present to request a variance to construct an accessory building on some property without a primary residence. The Frommes recently purchased four acres of land located at 1021 W. County Road 400 N and are also seeking a special exception to build a home on the property within the next couple of years. Approval is required due to the property being in an A-1 (Agriculture) zone. A variance is also being sought to place a 40ft. x 60ft. pole barn with a height of 23 feet for storage and mowing equipment that they intend to use to care for the property before the house is built.

There was concern from some board members whether or not the petitioners intend to live in the pole barn until their house is built. The Frommes assured the board that they would stay at their current residence until they construct the new one.

With no remonstrators, Bob Cook made a motion to close the public hearing. Vice Chairman Gunselman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a variance to allow an accessory building without a primary residence at 1021 W. County Road 400 N. Vice Chairman Gunselman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a variance from Section 16.02.140 (Height Regulations) to construct an accessory building with a height not to exceed 23 feet in height. Vice Chairman Gunselman seconded it. Motion carried 5-0.

Bob Cook made a motion to grant a special exception to allow a residence in an A-1 (Agriculture) zone at 1021 W. County Road 400 N. Vice Chairman Gunselman seconded it. Motion carried 5-0.

Petition of Diocese of Evansville/Bishop Charles Thompson (as owner) and Tri-State Catholic Radio (as petitioner) for a variance to operate a radio station in an R-3 (Residential) zone

Steve Luegers, President of Tri-State Catholic Radio, was present to request a variance to operate a Catholic radio station (93.1 FM) out of a house owned by the Catholic Diocese of Evansville, across from St. Joseph Catholic Church at 218 W. 13th Street. The station would operate from two rooms; a computer and office equipment in one room and the studio in another.

Project consultant, Ralph Turpen, who operates a Catholic radio station in Boonville, is donating a satellite dish he is no longer using, which would be installed behind the home so programming can be beamed in.

Bernard Hedinger, of 1301 Kundeck, asked if the new radio station would interfere with his cable and phone service. Mr. Turpen explained that since the dish will be receiving programming and not sending it out, the signal would not interfere with satellite and technology services of nearby neighbors.

With no more discussion, Randy Mehringer made a motion to close the public hearing. Bob Cook seconded it. Motion carried 5-0.

Randy Mehringer made a motion to grant a variance to operate a radio station at 218 W. 13th Street. Secretary Buck seconded it. Motion carried 5-0.

Petition of Curt Hief for a variance to allow an accessory building on a lot without a primary residence

Curt Hief was present to request a variance to construct an accessory building on a vacant lot he owns adjacent to his residence at 1160 Clearview Avenue. Mr. Hief said he intends to use the building for personal storage. He displayed a diagram of where the proposed building would be located on the lot.

Some discussion followed. With no remonstrators, Bob Cook made a motion to close the public hearing. Vice Chairman Gunselman seconded it. Motion carried 5-0.

Randy Mehringer made a motion to grant a variance to allow an accessory building on a vacant lot as presented on the proposed diagram. Secretary Buck seconded it. Motion carried 5-0.

ADJOURNMENT

With no further discussion, Bob Cook made a motion to adjourn the meeting. It was seconded by Vice Chairman Gunselman. Motion carried 5-0, and the meeting was adjourned at 8:25 p.m.

Jerry Uebelhor, Chairman

Dan Buck, Secretary

Recording Secretary, Kathy Pfister